

Serial: 201893

IN THE SUPREME COURT OF MISSISSIPPI

No. 2014-CA-01615-SCT

*LAMPKIN CONSTRUCTION CO., INC.*

**FILED**

*Appellant*

NOV 05 2015

v.

OFFICE OF THE CLERK  
SUPREME COURT  
COURT OF APPEALS

*SAND SPECIALTIES & AGGREGATES,  
LLC*

*Appellee*

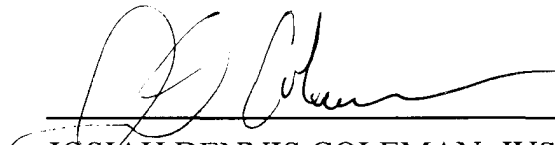
**ORDER TO SHOW CAUSE**

Pending before the Court is Lampkin Construction Company, Inc.'s appeal from the Copiah County Circuit Court. In review of the record, we are uncertain as to whether the appeal is properly before the Court for consideration. Mississippi Rule of Civil Procedure 54(b) bars the Court from hearing appeals in which a judgment is not, in fact, final as to the claims and parties involved. Specifically, the Court has noted the unexplained disappearance of the other named defendants between the filing of the Complaint and the commencement of trial. The record is, for some of the defendants, silent as to the reasons for their absence. Unless all other defendants have been dismissed from the suit, or unless the judgment against Lampkin Construction Company otherwise conforms to Rule 54(b), the appeal must be dismissed for lack of appellate jurisdiction.

It is, therefore, ORDERED that the appellant, Lampkin Construction Co., Inc., shall, within ten days of the date of the instant order, show cause, if any it can, why the appeal

should not be dismissed for lack of an appealable judgment. The appellee, Sand Specialties & Aggregates, LLC, also within ten days of the instant order, may file a response to the order addressing whether the appeal should be dismissed for the above-described reasons.

SO ORDERED, this the 4th day of November, 2015.



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JOSIAH DENNIS COLEMAN, JUSTICE